

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

-against-

HDR GLOBAL TRADING LIMITED, 100X
HOLDINGS LIMITED, ABS GLOBAL TRADING
LIMITED, SHINE EFFORT INC LIMITED, HDR
GLOBAL SERVICES (BERMUDA) LIMITED,
ARTHUR HAYES, BEN PETER DELO, and
SAMUEL REED,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/25/2021

20-cv-8132 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court has reviewed the letters submitted by Plaintiff and Defendant Ben Peter Delo in connection with Defendant's request to file a motion to dismiss and Plaintiff's request for jurisdictional discovery. *See* Letters to Court, ECF Nos. 63, 68-69, 71.

After careful review of the letters, Defendant's request for leave to file a motion to dismiss is GRANTED. The motion must be filed on or before September 10, 2021. Any opposition must be filed by October 1, 2021. Any reply must be filed by October 8, 2021.

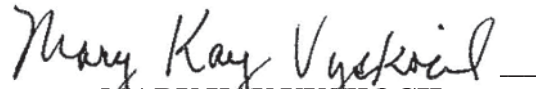
Plaintiff's request for jurisdictional discovery at this time is DENIED without prejudice. The Court notes that Plaintiff had an opportunity to establish jurisdictional facts in connection with its pre-suit investigation, including through testimony from Defendant Delo. Notwithstanding that, if there is relevant discovery to which Plaintiff believes it is entitled and which it was unable to conduct during the pre-suit investigation, Plaintiff may renew its request as part of the opposition to the motion to dismiss.

In light of this order, the pre-motion conference scheduled for August 26, 2021 is cancelled.

Any request for extension of the deadlines herein must be filed on ECF and must be made at least three days in advance of the deadline in question.

SO ORDERED.

Date: August 25, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge